



**Policy Number: 328 – Department Overtime**  
**Effective Date: August 17, 2020**  
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**Approved By: Denis Otterness, Chief of Police**

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### **328.1 PURPOSE AND SCOPE**

This policy is intended to create an orderly and fair process of selecting and assigning officers employed by the Montana State University Billings Police Department (Department) to work overtime, on the basis of seniority. In addition to an officer's regular schedule, covering overtime is the shared responsibility of all officers to ensure a safe and functional University environment. Officers need to be objective with regard to overtime coverage (i.e. desired hours, shifts, specific days, etc.). In the event overtime is not voluntarily covered, this procedure shall not limit the Chief of Police, Assistant Chief of Police or Sergeant's ability to assign personnel using criteria other than, or in addition to, seniority.

### **328.2 POLICY**

This policy shall be applicable to the selection or assignment of overtime to officers when there is a need to maintain Department shift minimums, fulfill obligations to University sponsored events (i.e. NCAA events, special events), or where there is a need to supplement shift minimums due to unforeseen or unusual events.

### **328.3 PROVISIONS APPLICABLE TO DETERMINING OVERTIME ASSIGNMENT**

Where the availability of overtime for assignment results from the Department's inability to fully staff a shift, overtime hours should be offered as a complete block, whenever possible. If the Department is unable to fill the complete block by using officers on their regular days off then the shift shall be divided into blocks of time corresponding to the start time and end time of adjacent shifts.

An offer or assignment of overtime which would place an officer in a position of working more than sixteen (16) hours should generally be avoided, except under unusual circumstances. This includes overtime not related to shift minimums.

#### **328.3.1 HOLD-OVERS AND CALL-INS**

For purposes of this section, the following will be used as a definition for "hold-overs" and "call-ins":

1. A *hold-over* shall be defined as "an Officer whose shift will be ending at the beginning of the overtime assignment".
2. A *call-in* shall be defined as "an Officer whose shift will be starting at the end of the overtime assignment."

Where there is an overtime assignment and there is less than twenty-four (24) hours before the start of the affected shift, the overtime shall be filled in the following order:

1. The assignment shall be offered to a holdover/call-in by seniority.
2. The assignment shall then be offered to the remaining Officers by seniority.
3. The assignment shall be made to a holdover/call-in in reverse order of seniority, when applicable.
4. If the assignment cannot be filled based on 1 through 3 above, the assignment shall then be made based on several factors including, but not limited to seniority, availability, hours worked, overtime worked (both voluntary and assigned), days off, etc.

### **328.3.2 SHORT NOTICE OVERTIME**

Where there is an overtime assignment and there is more than twenty-four (24) hours before and less than ten (10) days before the start of the affected shift, the overtime shall be filled in the following order:

1. The overtime assignment shall be offered on a voluntary basis to Officers/Sergeant by seniority.
2. If the assignment cannot be filled voluntarily, the assignment will be filled by:
  - a. In the case of emergency situations (illness, accident, death, etc.) the assignment will use the Hold-overs/ Call-ins as outlined in Section 328.3.1 above.
  - b. In the case of non-emergency situations (late notice vacation request, etc.) the assignment will be the responsibility of the originally assigned Officer. If that Officer is unable to find another Officer to cover the shift, the originally assigned Officer must work the shift.

### **328.3.3 ADVANCE NOTICE OVERTIME**

Where there is an overtime assignment and there is more than ten (10) days' notice before the start of the affected shift, the overtime shall be filled in the following order:

1. The overtime assignment shall be posted and offered, by seniority, to Officers on a voluntary basis. The seniority list will reset for overtime selections when the next month's overtime is posted.
2. If the assignment cannot be filled using Officers voluntarily, the assignment shall then be made based on several factors including, but not limited to, seniority, availability, hours worked, overtime worked (both voluntary and assigned), days off, etc.
  - a. The assignment shall be made to Officers by reverse order of seniority with consideration of the factors listed above.
  - b. Consideration will also be given to additional information outlined in this policy (i.e. 16 hour work rule).
3. In the event of the availability of overtime assignment(s), Officers shall be entitled to select one assignment of overtime based on the seniority list. In the event there are remaining overtime assignments after cycling through the seniority list, Officers shall

be entitled to select one additional assignment of overtime based on the seniority list. If overtime assignments still remain after two cycles through the seniority list, assignments can be selected on a first come basis.

### **328.4 MISCELLANEOUS PROVISIONS**

Once an Officer selects or is assigned an overtime assignment, it shall be the Officer's responsibility to complete the assignment.

The Sergeant shall review the schedule on a regular basis to project overtime needs for the Department. To assure the orderly and timely assignment of overtime in accordance with this procedure, the review should be done at least fourteen days in advance.

When offered overtime, any response other than an acceptance shall be considered a "no" response.

An Officer shall only be forced to give up a voluntary overtime assignment to work another overtime assignment in an emergency circumstance (i.e. 328.3.1 - Hold-overs and Call-Ins and 328.3.2 – Short Notice Overtime).

It shall be the responsibility of each individual Officer to sign up for overtime assignments in a timely manner. During your first scheduled shift (on overtime or straight time) after overtime assignments have been posted you will be expected to make your selection. If you fail to make a selection during your shift you will forfeit your opportunity. The same process applies to the second overtime assignment bid.

When an Officer is assigned to work an overtime shift that Officer should not be assigned to work another overtime assignment until other officers have been assigned to work an overtime shift. Exceptions to the above will be made based on previously identified factors such as availability, hours worked, overtime worked (both voluntary and assigned), days off, etc.